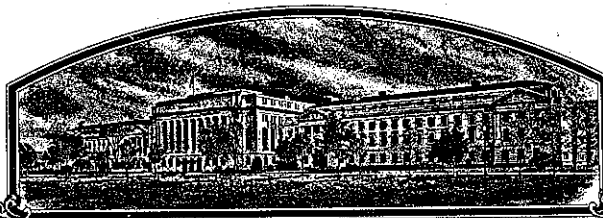


No.

8200179



# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

Mississippi Agricultural & Forestry  
Experiment Station

Whereas, THERE HAS BEEN PRESENTED TO THE

**Secretary of Agriculture**

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF eighteen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.

RYEGRASS

'Marshall'



In Testimony Whereof, I have hereunto set  
my hand and caused the seal of the Plant  
Variety Protection Office to be affixed  
at the City of Washington  
this 29th day of June in  
the year of our Lord one thousand nine  
hundred and eighty-four.

Attest

*Kenneth H. Evans*  
Commissioner  
Plant Variety Protection Office  
Livestock, Meat, Grain & Feed Division  
Agricultural Marketing Service

*John R. Block*  
Secretary of Agriculture

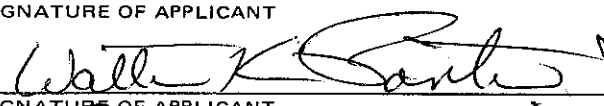
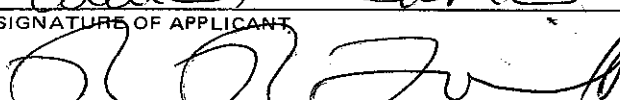
U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK, MEAT, GRAIN & SEED DIVISION

FORM APPROVED: OMB NO.0581-0055

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1. NAME OF APPLICANT(S) Mississippi Agricultural & Forestry Experiment Station		2. TEMPORARY DESIGNATION North Mississippi Reseeding		3. VARIETY NAME Marshall	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) Drawer ES Mississippi State, MS 39762		5. PHONE (Include area code) (601) 325-3005		FOR OFFICIAL USE ONLY PVPO NUMBER <b>8200179</b>	
6. GENUS AND SPECIES NAME Lolium multiflorum		7. FAMILY NAME (Botanical) Poaceae		FILING DATE 9/8/82 TIME 2:30 <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	
8. KIND NAME Ryegrass		9. DATE OF DETERMINATION Jan. 25, 1980		FEE RECEIVED AMOUNT FOR FILING \$ 500.00 DATE 9/8/82 AMOUNT FOR CERTIFICATE \$ 250.00 DATE 6/4/84	
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Mississippi Agricultural & Forestry Experiment Station				12. DATE OF INCORPORATION	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION					
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Dr. R. R. Foil, Drawer ES, Mississippi State, MS 39762 (601) 325-3005 Dr. W. K. Porter, Drawer ES, Mississippi State, MS 39762 (601) 325-3000 Mr. B. C. Keith, Box 5267, Mississippi State, MS 39762 (601) 325-2390					
14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED					
a. <input checked="" type="checkbox"/> Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.) b. <input checked="" type="checkbox"/> Exhibit B, Novelty Statement c. <input checked="" type="checkbox"/> Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.) d. <input type="checkbox"/> Exhibit D, Additional Description of the Variety					
15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act.) <input type="checkbox"/> Yes (If "Yes," answer items 16 and 17 below) <input checked="" type="checkbox"/> No					
16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input checked="" type="checkbox"/> Foundation <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified			
18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S. OR OTHER COUNTRIES? USA - 1980 (application withdrawn)				<input checked="" type="checkbox"/> Yes (If "Yes," give names of countries and dates) <input type="checkbox"/> No	
19. HAVE RIGHTS BEEN GRANTED IN THE U.S. OR OTHER COUNTRIES?				<input type="checkbox"/> Yes (If "Yes," give names of countries and dates) <input checked="" type="checkbox"/> No	
20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable. The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF APPLICANT 				DATE 8/31/82	
SIGNATURE OF APPLICANT 				DATE 8-31-82	

## INSTRUCTIONS

**General:** Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Department of Agriculture, Agricultural Marketing Service, Livestock, Meat, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

### Item

- 9 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 14a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 14b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 14d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 15 If "Yes" is specified (*seed of this variety be sold by variety name only as a class of certified seed*) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "No," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 16 See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

GPO 890-698



EXHIBIT A

## Origin and Breeding History of the Variety:

1. 'Marshall' originated from 29 years of natural selection from 'Common' annual ryegrass. A stand of 'Common' ryegrass was established in a pasture at the North Mississippi Branch Experiment Station at Holly Springs, Mississippi in 1949. This stand was allowed to reseed itself each of the subsequent years. The pasture was grazed by cattle each winter prior to allowing the pasture to go to seed.
2. A small amount of seed was harvested from the pasture in 1975 for yield tests at two locations in Mississippi. Following this it was yield tested at 5-6 locations in Mississippi for 3 years and at 11 locations in the Southeastern Region for one year. (See data attached.)
3. Marshall ryegrass contains some non-fluorescent seedlings. These variants occur in 0-4% of the seedlings.
4. Attached performance data for Marshall indicate that varietal performance has been stable over the past 4 years.

EXHIBIT B

## Novelty Statement:

Novelty is based on the unique combination of the following characters:

'Marshall' most closely resembles 'Gulf' except that it is more cold tolerant, matures 12-15 days later, and is more susceptible to rust than 'Gulf'.

Table . Anthesis Dates of three ryegrass cultivars, Mississippi State, MS, 1980.

Cultivar	Days to anthesis*
Marshall	42
Gulf	25
Magnolia	35
LSD(.05)	2

\* measured from April 1, 1980.

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CROWN RUST ON RYEGRASS OBSERVATION  
PLOTS AT ANGLETON, TEXAS 1978-79 (May 21)

8200179

<u>Entry</u>	<u>% Crown rust</u>
Tx-0-R-78-2	10
St. Col 2	40
St. Col 14	30
Lunar	60
Billion	30
Ninak	40
Tetrone	10
MOM-LMW 93	10
MOM-LMW 96	5
Marshall	10
N.K. 78120	10
Fla. 1977B	0
Common	10
Stoneville 2	35
St. Col 1	10
WP 414	30
WP 418	20
Mertra	20
NAPB R. 0081	10
NAPB R. 146	50
NAPB R. 150	10
NAPB Sunbelt	10
MOM-LM 51	15
MOM-LM 7	15
MOM-LM 38	40
MOM-LM 40	30
MOM-LM 43	50
MOM-LM 44	20
MOM-LM 45	10
MOM-LM 48	70
MOM-LM 49	20
MOM-LM 51	40
MOM-LMW 151	20
MOM-LMW 152	20
MOM-LMW 154	50
MOM-LMW 155	50
MOM-LMW 156	50
MOM-LM 70	1
MOM-LMW 91	50
MOM-LMW 92	10

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RYEGRASS CROWN RUST TEST AT ANGLETON, TX. 1979-80

Disease severity recorded on 5/8/80

<u>Variety</u>	<u>% severity</u>
Gulf	30
Common	50
Magnolia	5
Tx-0-78-1	10
Tx-0-R-78-2	5
Tx-0-R-78-3	5
Mont. Sel	50
Tetrablend 444	10
NK-78120	25
K7-20	50
Fla. Reseeding	50
North Miss. Reseeding	75
Ga Reseeding	60
Multi-mo tetraploid	20
Moritz tetraploid	5
Shannon tetraploid	50
Baritra	30
Baroldi	40
Barspectra	40
Asso	20
Meritra	50
SRGE	70
NAPB 150	10
NAPB 157	50
LYRA	60
Maris	10
Sabalan	10
Sabrina	10
Sabel	10
Augusta	10
Trident	15
State Col 2	15



Table - Evaluation of Ryegrass Grown for Forage, by Variety, Raymond, Mississippi, 1978-79.

Variety	Cold Injury <u>1/</u>	Rust <u>2/</u>
NK K7-20	5.0	1.8
NK K-8120	5.0	1.8
Tetrolend	5.5	2.0
Marshall	0.	2.5
Magnolia	3.5	2.3
Ninak	3.0	2.5
Tetronc	3.5	2.3
Billion	5.0	2.8
Aubade	6.0	3.0
Gulf	8.0	1.8
Florida 77B	3.0	1.0
MOM LM 51	2.0	2.0
MOM LM 70	4.0	1.3
MOM LMW 91	8.0	1.8
MOM LMW 92	7.5	2.8
MOM LMW 96	7.5	3.0
Common	7.5	2.5
TX-O-R-78-2	8.0	2.0
TX-O-R-78-3	7.0	1.3
Sunbelt	2.0	2.0
Penploid-4	8.5	2.8
Average	5.2	2.2

1/ Cold injury rating 2-19-79

0 = No injury. 9 = All plants dead

2/ Rust Rating 6-12-79

1 = None 2 = Moderate 3 = Severe

p. 37  
Table . Percentage of non-fluorescent seedlings of four lots of Marshall ryegrass breeder seed as determined by four tests.

Seed Lot	MSU	OSU 'Pre-Chill'	OSU 'Non-Pre-Chill'	Federal Seed Lab
			%	
1978	1.63	2.25	0.25	2.25
1979	0.56	0.75	0.25	3.50
1980	2.24	0.50	0.00	1.75
1981	2.77	1.25	0.75	2.00

FORM GR-470-36  
(9-76)U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
GRAIN DIVISION  
HYATTSVILLE, MARYLAND 20782  
**OBJECTIVE DESCRIPTION OF CULTIVARS**  
**RYEGRASS**  
(*Lolium spp.*)

NAME OF APPLICANT(S) Mississippi Agricultural & Forestry Experiment Station	VARIETY NAME OR TEMPORARY DESIGNATION Marshall
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code) P. O. Drawer ES Mississippi State, MS 39762	FOR OFFICIAL USE ONLY PVPO NUMBER 8200179

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in first box (e.g. 089 or 09) when number is either 99 or less or 9 or less. Descriptions of characters should represent those that are typical for the variety. Ranges may be given also. Measured data should be for SPACED PLANTS. Give additional description for all characteristics that cannot be adequately described in the form below. Append all pertinent comparative trial and evaluation data.

## 1. SPECIES:

<input type="text"/> 1	1 = L. MULTIFLORUM (annual or Italian; includes Westerwoldicum)	2 = L. PERENNE (perennial)	3 = L. RIGIDUM (includes Wimmera)
<input type="text"/> 4	4 = HYBRID (of species) _____		
<input type="text"/> 5	5 = OTHER (Specify) _____		

## 2. PLOIDY:

<input type="text"/> 1	1 = DIPLOID	2 = TETRAPLOID	3 = OTHER (Specify) _____
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## 3. DURATION:

<input type="text"/> 1	1 = ANNUAL OR BIENNIAL	2 = SHORT LIVED PERENNIAL (3-4 years)	3 = PERENNIAL (more than 4 years)
------------------------	------------------------	---------------------------------------	-----------------------------------

## STANDARD CULTIVARS

1 = GULF	2 = WIMMERA 62	3 = LINN	4 = PELO
5 = NORLEA	6 = ABERYSTWYTH S-23	7 = MANHATTAN	8 = PENNFINE

## 4. MATURITY (50% HEADED) Use standards from above for comparison:

<input type="text"/> 7	1 = VERY EARLY	3 = EARLY	<input type="text"/>	DAYS EARLIER THAN	<input type="text"/>	STANDARD CULTIVAR
<input type="text"/> 5	5 = MEDIUM	7 = LATE	<input type="text"/>	DAYS LATER THAN	<input type="text"/>	STANDARD CULTIVAR
<input type="text"/> 9	9 = VERY LATE					

## 5. MATURE PLANT HEIGHT (Use standard cultivars from above):

<input type="text"/>	CM. HIGH	<input type="text"/>	CM. SHORTER THAN	<input type="text"/>	STANDARD CULTIVAR
<input type="text"/>	CM. TALLER THAN	<input type="text"/>	STANDARD CULTIVAR		

## 6. PERCENT WINTER DAMAGE (estimated as percent of the area appearing dead). Use standard cultivars from above for comparison:

<input type="text"/> 0 <input type="text"/> 0 <input type="text"/> 1	PERCENT DAMAGE OF APPLICATION CULTIVAR	<input type="text"/>	PERCENT DAMAGE OF	<input type="text"/> 1	STANDARD CULTIVAR
<input type="text"/> 0 <input type="text"/> 9 <input type="text"/> 0	PERCENT DAMAGE OF	<input type="text"/>	STANDARD CULTIVAR		

## 7. TURF DENSITY Use standard cultivars from above:

<input type="text"/>	TILLERS PER 100 SQ. CM.	<input type="text"/>	STANDARD CULTIVAR
<input type="text"/>	LESS TILLERS PER 100 SQ. CM. THAN	<input type="text"/>	STANDARD CULTIVAR
<input type="text"/>	MORE TILLERS PER 100 SQ. CM. THAN	<input type="text"/>	STANDARD CULTIVAR

## 8. FLAG LEAF (at full growth) Use standard cultivars from above:

<input type="text"/>	CM. LENGTH (from ligule to tip)	<input type="text"/>	MM. WIDTH (at widest point)	<input type="text"/>	FLAG LEAF AT BOOT STAGE:
<input type="text"/>	CM. SHORTER THAN	<input type="text"/>	STANDARD CULTIVAR	<input type="text"/> 9	1 = DEFLEXED
<input type="text"/>	CM. LONGER THAN	<input type="text"/>	STANDARD CULTIVAR		3 = RECURVED
<input type="text"/>	MM. NARROWER THAN	<input type="text"/>	STANDARD CULTIVAR		5 = HORIZONTAL
<input type="text"/>	MM. WIDER THAN	<input type="text"/>	STANDARD CULTIVAR		7 = SEMI-ERECT
					9 = ERECT

8200179

## STANDARD CULTIVARS

1 = GULF  
5 = NORLEA2 = WIMMERA 62  
6 = ABERYSTWYTH S-233 = LINN  
7 = MANHATTAN4 = PELO  
8 = PENNFINE

## 9. LEAVES:

1 = LEAVES ROLLED IN YOUNG SHOOTS  
 1 VERNATION: 2 = LEAVES SEMI-ROLLED (folded with rolled edges)  
 3 = LEAVES FOLDED IN YOUNG SHOOTS

1 1 1 % PLANTS WITH ANTHOCYANIN IN LOWER LEAF SHEATH

2 FOLIAGE COLOR: 1 = YELLOW GREEN  
2 = MEDIUM GREEN  
3 = BLUE GREEN

## 10. SPIKE:

1 1 1 MM. SPIKE LENGTH (tip to internode below lowest floret)

1 1 1 MM. SHORTER THAN ..... 1

1 1 1 MM. LONGER THAN ..... 1

USE STANDARD CULTIVARS FROM ABOVE

1 1 1 1 MG. PER TEN SPIKES (trimmed to internode below lowest floret)

1 1 1 1 MG. LIGHTER PER TEN SPIKES THAN ..... 1

1 1 1 1 MG. HEAVIER PER TEN SPIKES THAN ..... 1

USE STANDARD CULTIVARS FROM ABOVE

1 1 FLORETS PER SPIKELET

## PERCENTAGE OF PLANTS WITH:

RACHIS: 1 1 1 % SMOOTH

1 1 1 % ROUGH

SPIKE COLOR: 1 0 0 % GREEN

1 0 0 % PURPLE

LEMMA: 098- 1 0 0 % AWNED

004- 0 0 6 MM. AWN LENGTH

07- 1 0 MM. GLUME LENGTH

2 1 = SPIKELET LENGTH NEARLY EQUAL TO OUTER GLUMES  
2 = SPIKELET LENGTH MUCH LONGER THAN OUTER GLUMES

## 11. COLEOPTILE:

1 1 1 % PLANTS WITH ANTHOCYANIN IN COLEOPTILE

## 12. ANTHOR COLOR:

0 0 0 % PLANTS WITH WHITE ANTHORS

098- 1 0 0 % PLANTS WITH YELLOW ANTHORS

0 0 0 % PLANTS WITH PURPLE ANTHORS

## 13. ROOT AND PLANT CHARACTERS:

0 0 0 % PLANTS WITH PROSTRATE GROWTH HABIT 096- 1 0 0 % PLANTS WITH FLUORESCENT ROOTS

095- 1 0 0 % PLANTS WITH UPRIGHT GROWTH HABIT

## 14. SEED:

2 4 0 0 MG. PER 1,000 SEED

0 5 5 MM. TOTAL LENGTH OF 10 SEEDS

0 1 0 MM. TOTAL WIDTH OF TEN SEEDS

15. DISEASE ( 0 = NOT TESTED, 2 = HIGHLY SUSCEPTIBLE, 4 = MODERATELY SUSCEPTIBLE, 6 = MODERATELY RESISTANT, 8 = HIGHLY RESISTANT):

<input type="text" value="2"/>	CROWN RUST ( <i>Puccinia coronata</i> )	<input type="text" value="0"/>	DOLLAR SPOT ( <i>Sclerotinia</i> )	<input type="text" value="0"/>	BROWN PATCH ( <i>Rhizoctonia</i> )
<input type="text" value="4"/>	LEAF SPOT ( <i>Helminthosporium</i> )	<input type="text" value="0"/>	MILDEW	<input type="text" value="0"/>	OTHER ( <i>Specify</i> )
<input type="text" value="0"/>	SNOW MOLD ( <i>Typhula</i> )		RED THREAD ( <i>Corticium</i> )		

16. INSECT ( 0 = NOT TESTED, 2 = HIGHLY SUSCEPTIBLE, 4 = MODERATELY SUSCEPTIBLE, 6 = MODERATELY RESISTANT, 8 = HIGHLY RESISTANT):

(*Specify*) \_\_\_\_\_

17. GIVE RESEMBLANCE VALUE IN LEFT COLUMN AND VARIETY CODE NUMBER IN RIGHT COLUMN FOR VARIETY WITH WHICH COMPARISON IS MADE ( 1 = LESS THAN, 2 = SAME AS, 3 = MORE ERECT, MORE RESISTANT, DENSER, MORE PERSISTENT, DARKER OR GREATER HEIGHT.):

RESEMBLANCE	CHARACTER	SIMILAR VARIETY
<input type="text" value="2"/>	PLANT HABIT (erectness)	<input type="text" value="1"/> 1 = GULF
<input type="text"/>	TILLERING	<input type="text"/> 2 = WIMMERA 62
<input type="text" value="3"/>	WINTER HARDINESS	<input type="text" value="1"/> 3 = LINN
<input type="text" value="3"/>	HIGH TEMP. STRESS RESISTANCE	<input type="text" value="1"/> 4 = PELO
<input type="text"/>	TURF PERSISTENCE	<input type="text"/> 5 = NORLEA
<input type="text" value="2"/>	PLANT COLOR	<input type="text" value="1"/> 6 = ABERYSTWYTH S-23
<input type="text" value="2"/>	VERTICAL SEEDLING GROWTH RATE	<input type="text" value="1"/> 7 = MANHATTAN
<input type="text"/>	CROWN DENSITY	<input type="text"/> 8 = PENNFINE
<input type="text"/>	MOWER SHREDDING RESISTANCE	<input type="text"/>

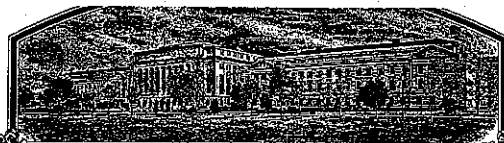
18. GIVE AREA OF ADAPTATION AND INTENDED USE: Southeastern United States - winter pasture

19. GIVE AREA TEST RESULTS PRESENTED FROM: Southeastern United States

COMMENTS:

No.

200400094



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Mississippi Agricultural and Forestry Experiment Station

Whereas

PLANT VARIETY PROTECTION CERTIFICATE NUMBER 8200179 WAS ISSUED UPON THE APPLICATION OF THE MISSISSIPPI AGRICULTURAL & FORESTRY EXPERIMENT STATION ON JUNE 29, 1984, FOR THE RYEGRASS VARIETY 'MARSHALL' AND WHEREAS, THE CONSOLIDATED APPROPRIATIONS ACT OF 2004 DIRECTED THE SECRETARY OF AGRICULTURE TO ISSUE A NEW CERTIFICATE FOR A TERM OF PROTECTION OF TEN YEARS FOR THE VARIETY, NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO SAID APPLICANT AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT FOR THE TERM OF TEN YEARS FROM THE DATE OF THIS GRANT, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THERE FROM, TO THE EXTENT PROVIDED BY THE CONSOLIDATED APPROPRIATIONS ACT OF 2004

RYEGRASS, ANNUAL

'Marshall'



Attest

In Testimony Whereof, I have herunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this sixth day of February, in the year two thousand and four.

*R. M. Zabel*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*Greenman*

Secretary



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

Stop 0270-Room 3507-S  
1400 Independence Avenue, SW.  
Washington, DC 20250-0201

**INFORMATIONAL MEMORANDUM FOR THE SECRETARY**

**THROUGH:** Bill Hawks  
Under Secretary *Bill Hawks*  
Marketing and Regulatory Programs

**FROM:** A. J. Yates  
Administrator *AJ Yates*  
Agricultural Marketing Service

**SUBJECT:** Plant Variety Certificate of Protection

FEB 9 2004

February 5, 2004

**ISSUE:**

Issuance of a new Plant Variety Protection Certificate for 'Marshall' Ryegrass

**DISCUSSION:**

The Plant Variety Protection Act (PVPA) encourages development of new and distinct varieties of seed-reproduced or tuber-propagated plants by providing intellectual property rights protection to developers. When a certificate of protection is granted, the developer has exclusive rights to sell, reproduce, import or export such varieties, or use them in the production of hybrids of different varieties.

On June 29, 1984, the Mississippi Agricultural and Forestry Experiment Station (MAFES) was issued a Certificate of Protection, number 8200179, for 'Marshall' annual ryegrass. The Certificate was issued for a fixed period of 18 years in accordance with PVPA.

On June 29, 2002, the Certificate expired.

On January 23, 2004, Congress passed an authorization to provide an additional term of protection to the 'Marshall' variety for 10 years. This arises from concerns of stakeholders, not the owner (MAFES), that the expiration of protection has the potential of causing economic injury to livestock producers resulting from genetic changes of the variety.

The authorization also states that the Secretary may terminate the certificate (at the end of any calendar year that is more than 5 years after the date of issuance of the certificate) if the Secretary determines that a new variety of seed (that is substantially based on the genetics of the variety for which the certificate was issued) is commercially viable and available in sufficient quantities to meet market demands.

**CONCLUSION:**

Attached is a new certificate, number 200400094, for 'Marshall' annual ryegrass for period of 10 years, for signature by the Secretary, as stated in the congressional authorization.